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**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
CESAR MEDINA GARCIA,  
  
Defendant.

Case 2:24-cr-19-AB  
ORDER OF DETENTION

On January 25, 2024, Defendant Cesar Medina Garcia made his initial appearance on the indictment filed in this matter. The Court held a contested detention hearing, and heard the arguments of counsel.

The Court finds that the government is entitled to a detention hearing because the case involves a controlled substance with a maximum term of imprisonment of ten years or more. 18 U.S.C. § 3142(f)(1)(C). The Court further finds that the Government is entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as

1 required and the safety of any person or the community. 18 U.S.C. §  
2 3142(e)(3)(A).

3 The Court finds that the presumption has not been rebutted in this case, and  
4 further finds no condition or combination of conditions will reasonably assure the  
5 appearance of the defendant as required.

6 The Court has considered: (a) the nature and circumstances of the offense(s)  
7 charged, including whether the offense is a crime of violence, a Federal crime of  
8 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,  
9 or destructive device; (b) the weight of evidence against the defendant; (c) the  
10 history and characteristics of the defendant; and (d) the nature and seriousness of  
11 the danger to any person or the community. 18 U.S.C. § 3142(g). The Court also  
12 considered all the evidence adduced at the hearing and the arguments of counsel,  
13 and the report and recommendation of the U.S. Pretrial Services Agency.

14 As to risk of non-appearance, the Court bases its conclusion on the following  
15 facts: Mr. Medina Garcia lacks bail resources. Tellingly, his family members,  
16 including his mother who was present in court, declined to serve as bail resources.  
17 Counsel argued that the family's hesitance was based on Mr. Medina Garcia's drug  
18 problem, and said that placement into residential drug treatment would alleviate  
19 those concerns. But Mr. Medina Garcia initially told the Pretrial Services officer he  
20 was not interested in drug treatment. That hesitancy tends to suggest Mr. Medina  
21 Garcia is not a good candidate for such treatment and may well be unlikely to  
22 comply with its requirements. Based on these facts, the Court finds that Mr.  
23 Medina Garcia has not rebutted the presumption that he is a risk of non-  
24 appearance.

25 IT IS THEREFORE ORDERED that the defendant be detained until trial.  
26 The defendant will be committed to the custody of the Attorney General for  
27 confinement in a corrections facility separate, to the extent practicable, from  
28 persons awaiting or serving sentences or being held in custody pending appeal.

1 The defendant will be afforded reasonable opportunity for private consultation  
2 with counsel. On order of a Court of the United States or on request of any  
3 attorney for the Government, the person in charge of the corrections facility in  
4 which defendant is confined will deliver the defendant to a United States Marshal  
5 for the purpose of an appearance in connection with a court proceeding. 18 U.S.C.  
6 § 3142(i).

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8 Dated: January 26, 2024



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9 BRIANNA FULLER MIRCHEFF  
10 UNITED STATES MAGISTRATE JUDGE  
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